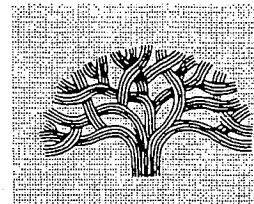


Exhibit C

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
John A. Russo
Charles E. Vose
Senior Deputy City Attorney

April 29, 2008

(510) 238-3601
FAX: (510) 238-6500
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By U.S. Mail and Facsimile (510) 465-1501

Mr. Steven R. Jacobsen, Esq.
Law Offices of Steven R. Jacobsen
901 Clay Street
Oakland, CA 94607

Re: **Ortega, et al v. City of Oakland, et al, Case No. C07-02659 JCS**

Dear Mr. Jacobsen:

We are following up on an unresolved matter concerning the pleadings in this case.

When you filed the Second Amended Complaint in this matter, a cause of action (the Ninth Cause of Action) for Negligent Hiring, Training, and Supervision was improperly added. Following a series of e-mails between us and Ms. Douat (copies of which are attached) Ms. Douat agreed to file a Third Amended Complaint that would delete the Ninth Cause of Action. It was agreed that the defendants would not answer the Second Amended Complaint (which has never been answered) and would instead file an answer to the Third Amended Complaint. The Third Amended Complaint, as you are no doubt aware, has never been filed by your office.

We would also like to take this opportunity to request that you dismiss the Fourth and Tenth Causes of Action against Officer Alcantar and Sgt. Ortiz. There is absolutely no evidence (which your clients have confirmed in their sworn deposition testimony) that any actions taken by either Officer Alcantar or Sgt. Ortiz were motivated by race.

In addition, I would also request that you dismiss Chief Tucker and the City from the action. You have no evidence against Chief Tucker as to your negligence claim, and you have no evidence against either the City or Chief Tucker for your claims under 42 U.S.C. Sections 1981 and 1983.

April 29, 2008
Page Two


If these causes of action are not dismissed, the City, Chief Tucker, and Officer Alcantar and Sgt. Ortiz intend to file Motions for Summary Judgment under F.R.C.P. 12 (b)(6).

We look forward to your response.

Very truly yours,

JOHN A. RUSSO
City Attorney

By:


CHARLES E. VOSE
Senior Deputy City Attorney

BURNHAM BROWN

By: /s/
JAMES Y. HIGA

CEV:cr
Encl.